

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ARTHUR VALLEJO,

Plaintiff,

v.

MIDLAND CREDIT MANAGEMENT, INC., a  
California corporation and licensed out of state  
collection agency; and GORDON, AYLWORTH  
& TAMI, PC, an Oregon corporation,  
Defendants.

Case No. 2:21-cv-1548

**NOTICE OF REMOVAL OF ACTION  
UNDER 28 U.S.C. § 1441(a)**

PLEASE TAKE NOTICE THAT defendant Gordon, Aylworth & Tami, PC (“GAT”) hereby removes to this Court the state court action described below.

1. This is a civil action over which the Court has original jurisdiction under 28 U.S.C. § 1331, and which may be removed to this Court pursuant to 28 U.S.C. § 1441(a) and 28 U.S.C. § 1367, because it involves claims under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, and transactionally related state law claims.

2. Venue is proper in the Western District of Washington, Seattle Division, because it is the district and division embracing the place where the state court action allegedly is pending (King County). *See* 28 U.S.C. §1441(a).

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1 3. GAT purportedly was served with a summons and an unfiled complaint on or  
2 about October 19, 2021, entitled *Arthur Vallejo v. Midland Credit Management, Inc. and*  
3 *Gordon, Aylworth & Tami, PC*, Washington Superior Court, King County. A copy of the  
4 summons and complaint are attached as Exhibit A.

5 4. GAT is unaware of any further proceedings that have occurred in the state court  
6 action and, at the time this Notice of Removal was filed, GAT was unaware of the state court  
7 action being filed yet (as noted, the summons and complaint purportedly were served).

8 5. Defendant Midland Credit Management, Inc. consents to the removal of the state  
9 court action to this Court.

10 6. In filing this Notice of Removal, GAT does not waive any defenses or claims,  
11 including (but not limited to) any defenses based on jurisdiction, service, or statute of limitations.

12 DATED: November 15, 2021

13 COSGRAVE VERGEER KESTER LLP

14 s/ *Robert E. Sabido*

15 Robert E. Sabido, WSBA No. 29170

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19 Telephone: 503-323-9000

20 Facsimile: 503-323-9019

21 Attorneys for Defendant Gordon, Aylworth &  
22 Tami, P.C.

**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and correct copy of the foregoing NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(a) on the date indicated below by:

- ☐ mail with postage prepaid, deposited in the US mail at Portland, Oregon,
- ☐ hand delivery,
- ☐ facsimile transmission,
- ☐ overnight delivery,
- ☒ electronic filing notification.

If served by facsimile transmission, attached to this certificate is the printed confirmation of receipt of the documents generated by the transmitting machine. I further certify that said copy was placed in a sealed envelope delivered as indicated above and addressed to said attorney at the address listed below:

Peter M. Schneider  
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*Attorneys for Plaintiff*

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*Attorneys for Defendant Midland Credit  
Management, Inc.*

DATED: November 15, 2021

*s/ Robert E. Sabido*

Robert E. Sabido, WSBA No. 29170